

**CALIFORNIA COASTAL COMMISSION**

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W2.5a

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ADMINISTRATIVE PERMIT

Application No.: E-00-005

Project Applicant: Texaco Exploration and Production, Inc.

Project Location: Bryant property, City of Long Beach, Los Angeles County

Project Description: Resurface roads, replace an electrical conduit, replace three individual flowlines, replace and bring aboveground a gathering line, and repair a damaged culvert.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: Public Resources Code § 30624 provides that this permit shall not become effective until it is reported to the Commission at its next scheduled meeting. If one-third or more of the appointed Commissioners so request, the Executive Director's permit issuance shall not be effective, and the application shall be set for public hearing at a subsequent Commission meeting.

This permit will be reported to the Commission at the following time and location:

DATE: Wednesday, July 11, 2001
TIME: Meeting begins at 9:00 a.m., Item 2.5a
PLACE: Fountain Grove Inn
101 Fountain Grove Parkway
Santa Rosa, CA 94503
(707) 578-6101

IMPORTANT – Before you may proceed with development, the following must occur:

Pursuant to 14 CCR §13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU MAY PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER M. DOUGLAS
Executive Director

By: _____
JAIME C. KOOSER, Ph.D.
Deputy Director, Energy, Ocean Resources and Water Quality Division

ACKNOWLEDGEMENT OF PERMIT RECEIPT AND ACCEPTANCE OF CONTENTS:

The undersigned permittees acknowledge receipt of this permit and agree to abide by all terms and conditions thereof.

The undersigned permittees acknowledge that Government Code § 818.4 states in pertinent part that: "A public entity is not liable for injury caused by issuance ... of any permit" applies to issuance of this permit.

Applicant's Signature _____
Date _____

Co-Applicant's Signature _____
Date _____

STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Saltgrass restoration.** All the saltgrass and at least 4 inches of associated topsoil shall be removed away from the work area for proper care and storage during conduit replacement, and the saltgrass and soil shall be replaced as soon as possible after the electrical conduit has been replaced. Excavated top soil shall be stockpiled at least 50 feet away from stormdrains, open ditches, and surface waters, and shall be covered at all times.
2. **Work period.** The applicant shall time land-disturbing activities to avoid the rainy season (October 15 – April 15).
3. **Non-structural Construction Best Management Practices (BMPs).** Construction equipment and vehicles shall be kept in good working conditions and inspected daily for fluid leaks. To the extent practicable, all construction equipment and vehicles shall be fueled, maintained, and washed off-site. When construction equipment and vehicles need to be fueled, maintained, and washed onsite, such activities shall be performed only in areas designed specifically to control runoff (preferably on paved surfaces or surfaces with an aggregate base) and these areas shall be located at least 50 feet away from all drainage courses. All leaks and spills shall be cleaned up immediately and lawfully. Used rags and absorbent materials shall be disposed of properly. All construction-related materials and

chemicals shall be stored, handled, applied, and disposed of properly. All liquid containers shall be stored in a bermed area.

4. **Structural Construction BMPs.** Plastic barriers shall be placed along roadways to be resurfaced in order to ensure that no asphalt material migrates into wetland areas. Silt fence or sediment traps shall be used as necessary to detain and filter sediment-laden water. Adequate sanitary facilities shall be provided for construction workers.
5. **Oil spill prevention.** Bryant Wells #32, #33, and #34 and all lines that are associated with these wells, as well as the flowlines and gathering line that are to be replaced or rerouted, shall be shut in prior to the initiation of any work. Prior to cutting of any flowline or gathering line, the applicant shall flush each line until testing of the liquid in each line shows results of 15 ppm of hydrocarbons or less.
6. **Road resurfacing restrictions.** The applicant shall perform road resurfacing with maximum road width of 15 feet, and shall resurface only those areas where paved roads already exist. Within the 15 feet width maximum, the road resurfacing shall be the minimum amount necessary to accommodate the minimum vehicular traffic required for well operations, maintenance and repair. Road resurfacing activities shall not disturb any of the vegetation that is found adjacent to wetland areas.

1.0 EXECUTIVE DIRECTOR'S DETERMINATION (continued)

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC § 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions, the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

2.0 FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

2.1 Project Location

Texaco leases a portion of the "Bryant property," which is located in Seal Beach between Westminster Avenue and Pacific Coast Highway, straddles the San Gabriel River, and is adjacent to the Haynes Generating Station Inlet Channel. (Exhibit 1) The Texaco portion of the Bryant property is used for oil production and is therefore fenced and closed to public access. The area leased by Texaco is characterized by highly disturbed areas which are covered by dirt, gravel, or structures related to oil production. However, the area (particularly the northwestern part) also contains several significant and highly productive wetlands that host many birds and other species of wildlife.

2.2 Project Background

In late 1999, Coastal Commission staff notified Texaco (V-5-99-23) that a Coastal Act violation had occurred, as Texaco had placed nine piles of recycled crushed asphalt constituting 81 cubic yards of solid material on the Bryant property in preparation for road resurfacing without benefit of a coastal development permit. On February 1, 2000, Texaco submitted coastal development permit application E-00-005 to authorize use of the asphalt and conduct some repair operations at the oil field. The coastal development permit application was not complete until this year.

The proposed project includes some work items that have the potential to impact existing wetlands and saltgrass. The road resurfacing would occur near and between wetlands, but is necessary to perform daily oil well maintenance and repair activities; measures to avoid and mitigate potential impacts will include best management practices and restrictions on the timing of work to dry months of the year. The electrical conduit repair would cause a short-term impact to a small area of saltgrass immediately adjacent to a wetland, but best management practices to prevent erosion during work, and required saltgrass replacement and restoration will mitigate this impact. The potential for an oil spill during the pipeline and gathering line repair work will be minimized to the maximum extent possible by shutting in and flushing lines prior to work commencement, and this work would not occur in close proximity to any of the existing wetlands, as wetlands are located on the other side of the property.

The proposed work is necessary to ensure the safety of Texaco's personnel, and to enable safe, efficient, and effective repair and maintenance of the producing oil wells. The resurfacing of roads in the northwestern portion of the Texaco's lease will allow for safe and efficient daily

monitoring, repair and maintenance to be performed at each of the oil production wells; the roads are currently in such bad condition that it is difficult for operations personnel to reach each well without significant difficulty.

The electrical conduit repair is also a high priority because the conduit's malfunctioning switch occasionally, without warning, causes the well unit that it controls to run automatically or continuously, or can prevent the unit from being turned off if the unit itself is not functioning correctly. An accident could occur if an operator has turned off the well unit in order to work on the unit's equipment, but then the equipment begins to operate automatically due to the conduit switch malfunction. The weights on the pumping unit could cause great harm or even death to operations personnel.

Lastly, the culvert repair, flowline replacement, and gathering line rerouting are all necessary to ensure safe and environmentally sound function of the Texaco facility.

2.3 Project Description

In this application, Texaco Exploration and Production, Inc. ("Texaco") proposes to perform the following work items: (1) resurface existing roads using recycled asphalt; (2) replace 75 feet of electrical conduit; (3) replace three sections of pipeline (a total of 350 linear feet of pipe); (4) repair a damaged culvert; and (5) re-route and bring to the surface an existing underground gathering line that is 730 feet long.

The proposed work items would be completed with the following equipment and procedures:

1. Resurfacing of roadways on the northwest side of the San Gabriel River. Texaco proposes to use a backhoe and a two-man crew with hand tools to place recycled asphalt into potholes of various sizes. Road resurfacing will be a maximum road width of 15 feet, and only those areas where paved roads already exist will be resurfaced, in order to minimize the creation of impervious area to reduce the total runoff volume and rate during the rainy season. Within the 15 feet width maximum, the road width will be the minimum to accommodate the minimum vehicular traffic required for well operations, maintenance and repair. Road resurfacing activities will not disturb any of the vegetation that is found adjacent to wetland areas. Although the roads were paved previously, the road surface has become uneven over time due to vehicle traffic and weather. These roads are the only route with which to access Texaco's oil production wells in order to visually check the oil wells to confirm that there are no leaks around the wellheads, no leaks in the flowlines that run from the wells, and to perform routine maintenance. If such inspections cannot be efficiently performed on a daily basis, leaks may not be detected until a significant oil release occurs. Without the adequate maintenance of these roads, operations personnel cannot safely monitor the wells. Mitigation measures for this work item that are proposed by Texaco are: placement of plastic barriers along roadways to be resurfaced in order to ensure that no asphalt material migrates into wetland areas. In addition, the work will be performed during 'dry' months when the area and nearby wetlands are driest.

2. Electrical conduit replacement. Texaco proposes to use a rubber-tired backhoe and an electrical repair crew of two men to replace approximately 75 feet of electrical conduit at Bryant Well #3. The power will be disconnected, a 12 inch wide by 18 inch deep trench will be dug, the conduit will be replaced, and the dirt will be replaced over the new conduit. The replacement of this electrical conduit is necessary for safety reasons, because the existing faulty conduit's malfunctioning switch presently allows the well unit to run automatically, continuously, or in a mode wherein it cannot be turned off. An accident could occur if an operator has turned off the well unit in order to work on the unit's equipment, but then the equipment begins to operate automatically. The weights on the pumping unit could cause great harm or even death to operations personnel. It is therefore essential to repair the conduit. Mitigation measures proposed by Texaco for this work item include removal of saltgrass and associated topsoil away from the work area for proper care during work, and replacement of the saltgrass and soil after the conduit has been replaced.
3. Individual flowline replacement. Texaco proposes to replace three different pipe section running from three different wells. Texaco proposes to replace a 100 foot pipe section at Bryant Well #33, a 100 foot pipe section at Bryant Well #34, and a 150 foot pipe section at Bryant Well #32. Approximately three days will be required to pre-fabricate the piping, cut and cap existing lines, install the new lines, and backfill the trenches. This work item will require a construction crew, an A-frame truck, a welder, a welding truck, a rubber-tired backhoe, and a vacuum truck. There are no biological resources located in the vicinity of this work item.
4. Culvert repair. Texaco proposes to repair a damaged culvert that flows out into the San Gabriel River. The culvert has caved in over an outflow pipe leading to the river. Texaco proposes to excavate the damaged culvert by hand around the failed section, place a metal patch over the failed section, and then backfill with a cement and sand slurry, to bind the mixture together and create a seal. The excavation will be filled with cement slurry to just below the existing flowline and then filled with the excavated dirt to surface. This work item will require a construction crew with hand tools, a rubber-tired backhoe, a cement transport truck, and a cement slurry pump. There are no biological resources located in the vicinity of this work item.
5. Rerouting of flowline away from culvert area. Texaco proposes to reroute the 4 foot gathering line that currently carries oil over the damaged culvert area. At approximately 10 feet northwest of the culvert/gathering line intersection, Texaco will cut and cap the existing line, and bring the gathering line to surface. The line will then run along pipe tracks approximately 730 feet to the tank facility. Aboveground lines make leak detection easier and this rerouting of the gathering line would eliminate the risk of pipeline damage if the culvert fails again in the future. A total of ten days will be required to fabricate the replacement line and its supports. Once the replacement line is in place, a one-day shutdown and tie-in will be required to complete the installation. This work item will require a construction crew, an A-frame truck, a welder, a welding truck, a rubber-tired backhoe, and a vacuum truck. There are no biological resources located in the vicinity of this work item.

2.4 Coastal Act Issues

2.4.1 Biological Resources

Coastal Act Section 30231 states in part:

The biological productivity of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored...

Coastal Act Section 30610(d) states in part:

Repair or maintenance activities that...involve a risk of substantial adverse impact, it shall, by regulation, require that a permit be obtained pursuant to this chapter.

Section 13252 of the California Code of Regulations expands on Section 30610(d) stating in part:

For the purposes of Public Resources Code 30610(d), the following extraordinary methods of repair and maintenance shall require a coastal development permit because they involve a risk of substantial adverse impact...[including] any any repair or maintenance to facilities or structures or work located in an environmentally sensitive habitat area...or environmentally sensitive habitat area.

Although the proposed project consists of repair and maintenance work items, the location of the proposed project contains areas determined by the staff biologist to be wetlands. Therefore, according to Section 30610(d), a permit is required for repair and maintenance activities that involve risk to environmentally sensitive habitat area such as wetlands. However, only two of the five work items of Texaco's proposed project are located near any biological resources. The electrical conduit repair work would be performed at the edge of an existing wetland; the road resurfacing, although it would occur primarily on dry, highly disturbed land, would in some areas be performed in close proximity to existing wetlands.

Electrical conduit repair

Texaco proposes to use a rubber-tired backhoe and an electrical repair crew of two men to replace approximately 75 feet of electrical conduit at Bryant Well #3. The replacement of this electrical conduit is necessary for safety reasons. The electrical conduit runs underground at a depth of approximately 18 inches from the well towards an electrical box which is mounted on a utility pole. The utility pole is surrounded by saltgrass, a common and essential component of brackish wetlands, and the wetlands itself begins a few feet beyond the utility pole. In order to replace the electrical conduit, a trench 12 inches wide and 18 inches depth must be dug along the

length of the electrical conduit, resulting in the disturbance of approximately 12 inches by 20 feet of saltgrass.

In order to preserve the saltgrass, the Commission imposes **Special Condition 1**, which requires Texaco to remove the saltgrass and at least 4 inches of associated topsoil away from the work area for proper care and storage during conduit replacement, and replacement of the saltgrass and soil immediately after the conduit has been replaced. Excavated top soil shall be stockpiled at least 50 feet away from stormdrains, open ditches, and surface waters, and shall be covered at all times.

The Commission also imposes **Special Condition 2**, which requires Texaco to complete all of the work associated with this permit during dry months; therefore no land-disturbing activities shall occur between October 15 and April 15.

Road resurfacing

Texaco proposes to use a backhoe and a two-man crew with hand tools to place recycled asphalt into potholes of various sizes. Although the roads were paved previously, the road surface has become very uneven over time due to vehicle traffic and weather. Without the adequate maintenance of these roads, operations personnel cannot safely monitor the wells. Although the road resurfacing work would occur primarily on dry, highly disturbed land, in some areas the road would run immediately between and in close proximity to existing wetlands and could lead to erosion that places material into the wetland, or road surfacing material could migrate into the wetland.

Special Condition 2 requires Texaco to complete all of the work associated with this permit during dry months; therefore no land-disturbing activities shall occur between October 15 and April 15. **Special Condition 3** requires the applicant to use non-structural best management practices including standards for maintenance and inspection of construction vehicles, response to leaks and spills, and storage of construction materials. **Special Condition 4** requires the applicant to place plastic barriers, silt fences, or sediment traps along roadways to be resurfaced in order to ensure that no asphalt material migrates into wetland areas. **Special Condition 6** requires the applicant to perform road resurfacing with maximum road width of 11 feet, and shall resurface, as much as possible, only those areas where paved roads already exist, in order to minimize the creation of impervious area to reduce the total runoff volume and rate during the rainy season. Within the 11 feet width maximum, the road width shall be the minimum to accommodate the minimum vehicular traffic required for well operations, maintenance and repair. Road resurfacing activities shall not disturb any of the vegetation that is found adjacent to wetland areas.

Oil Spill Risk

The only proposed work item that has an spill risk is the flowline replacement at Bryant Wells #32, #33, and #34, and the abovegrounding of the gathering line. The culvert repair, road resurfacing and conduit repair work items involve no cutting of existing liquid lines, and subsequently, no risk of spill. All wells have isolation valves at the wellheads. The seven wells

which feed the 4 inch gathering line and the flowlines at Bryant Wells #32, #33, and #34 will be shut in at their respective wellheads prior to commencement of work in order to keep any new flow from entering the production lines. All fluid in the lines will first be flushed with hot oil to remove wax deposits on the inside of the lines, then flushed with clean fresh water. All flushing fluids will be pushed to the tank battery and removed from the line, either by processing it in the production facility or removing it by vacuum truck.

The worst case oil spill scenario is if the gathering line and flowlines spill to the unbermed environment at the same time, prior to being flushed. The total volume of such a spill would be 12.7 bbls of oil. The applicant has contracted with Advanced Clean-Up Technologies, Inc. (ACTI), an emergency response company, to be present during the work involving these lines. ACTI will bring booms, absorbent materials, shovels and other equipment needed for response to a land or water spill.

In order to prevent an oil spill, the Commission imposes **Special Condition 4** which requires that prior to the initiation of any work Bryant Wells #32, #33, and #34, all lines that are associated with these wells shall be shut in, and shall be flushed to a level of 15 ppm of hydrocarbons or less.

3.0 ALLEGED VIOLATION

Development consisting of placement of nine piles of recycled crushed asphalt constituting 81 cubic yards of solid material on the subject site has taken place without benefit of a coastal development permit. Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to the alleged violation, nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

4.0 CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Commission's permit process has also been designated by the State Resources Agency as the functional equivalent of the CEQA environmental impact review process. The California Public Resources Code § 21080.5(d)(2)(i) states:

The rules and regulations adopted by the administering agency shall require that an activity will not be approved or adopted as proposed if there are feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

Thus, CEQA requires the consideration of feasible alternatives and mitigation measures to lessen any environmental impacts of the project to a level of insignificance. The Commission incorporates into its finding of CEQA consistency its analysis in this staff report of the proposed project's potential impacts under Coastal Act policies. Although the project has some potential to result in adverse impacts to biological resources, the Executive Director finds no feasible less environmentally damaging alternatives or additional feasible mitigation measures other than

those identified herein, that would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the project as fully conditioned is consistent with the mitigatory requirements of CEQA.